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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Adam Norton et al.

Appln. No.: 10/290,730

Filed: November 7, 2002

For: ACCURATE SMALL-SPOT
SPECTROMETRY INSTRUMENT

Group Art: 2877

Examiner: Unknown

**POWER OF ATTORNEY BY
ASSIGNEE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

THERMA-WAVE, INC., assignee of the entire right title and interest in the above-identified application by assignment dated 11/22/2002, 11/14/2002, 11/19/2002 and 11/13/2002, which assignment was recorded in the Patent and Trademark Office on December 26, 2002, at Reel 13602, frame 510, hereby appoints the members of the firm of STALLMAN & POLLOCK LLP, a firm composed of:

Michael A. Stallman 29,444 Kathleen A. Frost 37,326 Stephen M. Everett 30,050
Michael J. Pollock 29,098 Brian J. Keating 39,520 Joseph K. Hollinger 40,649

as its attorneys with full power of substitution to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith.

Please direct all correspondence regarding this application to the following:

STALLMAN & POLLOCK LLP
Attn: Michael A. Stallman
121 Spear Street, Suite 290
San Francisco, CA 94105

Telephone: (415) 512-1312
Facsimile: (415)512-1362

Dated: 5-7-03

THERMA-WAVE, INC.

By:

Name: Boris Lipkin

Title: President & Chief Executive Officer

013602/0510 PAGE 2

THERESA FREDERICK, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

12-30-2002



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ocket No.: TWI-30720

EEI

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Adam Norton
Abdurrahman Sezginer
Fred E. Stanke
Rodney Smedt

12-26-02

2. Name and address of receiving party(ies):

Name: THERMA-WAVE, INC.

Internal Address: 1250 Reliance Way

OFFICE OF PUBLIC RECORDS
FINANCIAL SECTION

102 DEC 26 PM 3:45

Street Address: 1250 Reliance Way

City: Fremont State: CA ZIP: 94539

Additional name(s) & address(es) attached? Yes No

4. Application number(s) or patent numbers(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

10/290,730

B. Patent No.(s)

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: STALLMAN & POLLOCK LLP

Internal Address: Attn: Michael A. Stallman

6. Total number of applications and patents involved: 1

Street Address: 121 Spear Street, Suite 290

7. Total fee (37 CFR 3.41):\$ 40.00

City: San Francisco State: CA ZIP: 94105

Enclosed - Any excess or insufficiency should be credited or debited to deposit account

Authorized to be charged to deposit account

8. Deposit account number:

50-1703

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Brian J. Keating (Reg. No. 39,520)

Name of Person Signing

Signature

December , 2002

Date

Total number of pages including cover sheet, attachments, and document:

4

12/27/2002 LINELLER 0000125 102324075

FC 8021

ASSIGNMENT

WHEREAS, WE, Adam Norton, Abdurrahman Sezginer, Fred E. Stanke and Rodney Smedt, hereinafter referred to as "ASSIGNORS", have invented certain new and useful improvements as described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: ACCURATE SMALL-SPOT SPECTROMETRY INSTRUMENT

Application (Declaration/Oath) Execution Date: 11/22/2002, 11/14/2002, 11/19/2002 & 11/13/2002

Filing Date: November 7, 2002

Application No.: 10/290,730

WHEREAS, THERMA-WAVE, INC., a corporation of the State of Delaware, 1250 Reliance Way, Fremont, California 94539 hereinafter referred to as "ASSIGNEE", is desirous of acquiring the entire right, title and interest in the said invention and application and in any Letters Patent which may be granted on the same;

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have sold, assigned and transferred, and by these presents do sell, assign and transfer unto the said Assignee, and Assignee's successors and assigns, all right, title and interest in and to the said invention, said application for United States Letters Patent, and any Letters Patent which may hereafter be granted on the same in the United States and all countries throughout the world including any divisions, renewals, continuations in whole or in part, substitutions, conversions, reissues, prolongations or extensions thereof, said interest to be held and enjoyed by said Assignee as fully and exclusively as it would have been held and enjoyed by said Assignors had this assignment and transfer not been made, to the full end and term of any such Letters Patent.

Assignors further agree that they will, without charge to said Assignee, but at Assignee's expense, cooperate with Assignee in the prosecution of said application and/or applications, execute, verify, acknowledge and deliver all such further papers, including applications for Letters Patent and for the reissue thereof, and instruments of assignment and transfer thereof, and will perform such other acts as Assignee lawfully may request, to obtain or maintain Letters Patent for said invention and improvement in any and all countries, and to vest title thereto in said Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignor has hereunto signed his/her name to this assignment on the date indicated below.

Date: 11/22/02

Adam Norton

Adam Norton

State of California

County of Alameda

On 11-22-02

before me, LESLIE J. REED, Notary

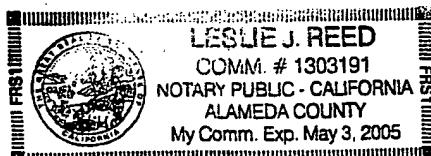
personally appeared ADAM NORTON personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Leslie Reed

Signature of Notary

SEAL



IN TESTIMONY WHEREOF, Assignor has hereunto signed his/her name to this assignment on the date indicated below.

Date: November 14, 2002

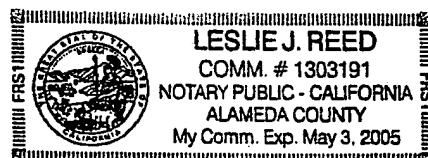


Abdurrahman Sezginer

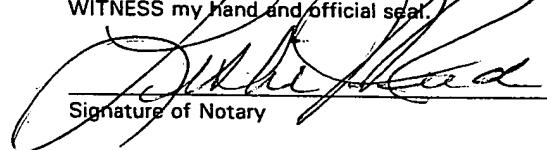
State of California
County of Alameda

On 11-14-02 before me, LESLIE J. REED, Notary, personally appeared Abdurrahman Sezginer, personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

SEAL



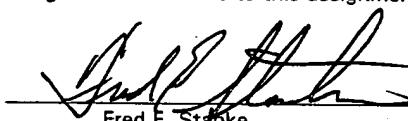
WITNESS my hand and official seal.



Signature of Notary

IN TESTIMONY WHEREOF, Assignor has hereunto signed his/her name to this assignment on the date indicated below.

Date: 19 Nov 02

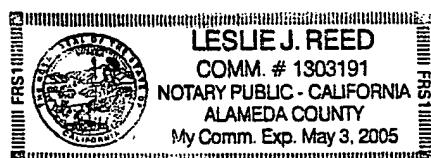


Fred E. Stankie

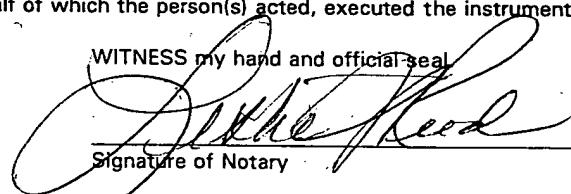
State of California
County of Alameda

On 11-19-02 before me, LESLIE J. REED, Notary, personally appeared FRED E. STANKIE, personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

SEAL



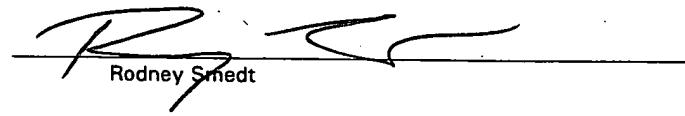
WITNESS my hand and official seal.



Signature of Notary

IN TESTIMONY WHEREOF, Assignor has hereunto signed his/her name to this assignment on the date indicated below.

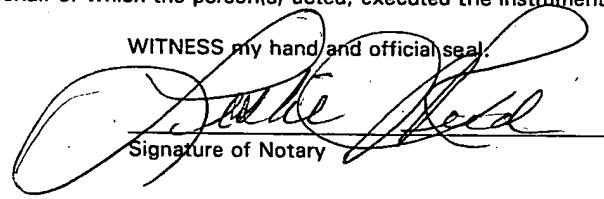
Date: 11/13/02


Rodney Smedt

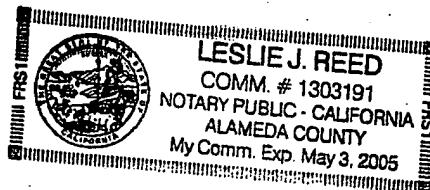
State of California
County of Alameda

On 11-13-02 before me, LESLIE J. REED, NOTARY, personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.


Signature of Notary

SEAL



DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

ACCURATE SMALL-SPOT SPECTROMETRY INSTRUMENT

the specification of which (check one) is attached hereto or was filed on November 7, 2002 as Application No. 10/290,730 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			<u>Priority Claimed</u>
			<u>Yes</u> <u>No</u>
Number	Country	Day/Month/Year Filed	<input type="checkbox"/> <input type="checkbox"/>
Number	Country	Day/Month/Year Filed	<input type="checkbox"/> <input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. § 119(3) of any United States provisional application(s) below:

<u>60/337,678</u>	<u>November 9, 2001</u>
Application Number	Filing Date
<u> </u>	<u> </u>
Application Number	Filing Date
<u> </u>	<u> </u>

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	Filing Date	Status: Patented, Pending, Abandoned
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Application Number	Filing Date	Status: Patented, Pending, Abandoned
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Application Number	Filing Date	Status: Patented, Pending, Abandoned
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Adam Norton

Inventor's signature Adam Norton

11/22/02

Date

Residence 3696 Ross Road, Palo Alto, California 94303

Citizenship U.S.A.

Post Office Address 3696 Ross Road, Palo Alto, California 94303

Full name of second joint inventor, if any, Abdurrahman Sezginer

Inventor's signature Abdurrahman Sezginer

November 14, 2002

Date

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Citizenship U.S.A.

Post Office Address 105 Forest Hill Drive, Los Gatos, California 95032

Full name of third joint inventor, if any, Fred E. Stanke

Inventor's signature Fred E. Stanke

19 Nov 02

Date

Residence 22873 Longdown Road, Cupertino, California 95014

Citizenship U.S.A.

Post Office Address 22873 Longdown Road, Cupertino, California 95014

Full name of fourth joint inventor, if any, Rodney Smedt

Inventor's signature Rodney Smedt

11/13/02

Date

Residence 139 Ohlone Court, Los Gatos, California 95032

Citizenship U.S.A.

Post Office Address 139 Ohlone Court, Los Gatos, California 95032